

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

PAUL L. MURPHY,,
Plaintiff

v.

PAUL COTTON, M.D.,
Defendant

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File No. 1:05-CV-30

ORDER

The Magistrate Judge's Report and Recommendation was filed October 19, 2005 (Paper 33). After de novo review and absent objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1). Defendant's motion to dismiss (Paper 15) is DENIED. Plaintiff's motions for voluntary dismissal (Papers 25 and 31) are DENIED. The plaintiff shall file an Amended Complaint within 20 days from the date of this Order. Failure to file an amendment within that time may result in dismissal of all claims.

This matter is hereby returned to the Magistrate Judge for further proceedings.

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 8th day of November, 2005.

/s/ J. Garvan Murtha

J. Garvan Murtha
United States District Judge